

AMENDED IN ASSEMBLY APRIL 28, 2010

AMENDED IN ASSEMBLY APRIL 5, 2010

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL

No. 1595

Introduced by Assembly Member Jones

January 4, 2010

An act to add Section 14005.60 to the Welfare and Institutions Code, relating to Medi-Cal.

LEGISLATIVE COUNSEL'S DIGEST

AB 1595, as amended, Jones. Medi-Cal: eligibility.

Existing law establishes the Medi-Cal program, administered by the State Department of Health Care Services, under which basic health care services are provided to qualified low-income persons. The Medi-Cal program is, in part, governed and funded by federal Medicaid provisions.

~~This bill, commencing January 1, 2014, to the extent required by federal law, would provide that a person who meets all other applicable eligibility requirements shall be eligible for benefits under the Medi-Cal program if his or her income does not exceed 133% of the federal poverty level.~~

This bill would require the department to establish, by January 1, 2014, eligibility for Medi-Cal benefits for any person who meets specified eligibility requirements provided by federal law. This bill would permit the department, to the extent permitted by federal law, to phase in coverage for those individuals upon the effective date of this bill.

Because counties are required to make Medi-Cal eligibility determinations and this bill would expand Medi-Cal eligibility, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 *SECTION 1. Section 14005.60 is added to the Welfare and*
2 *Institutions Code, to read:*
3 *14005.60. (a) By January 1, 2014, the department shall*
4 *establish eligibility for Medi-Cal benefits for any person who meets*
5 *the eligibility requirements of subclause (VIII) of Section*
6 *1902(a)(10)(A)(i) and Section 1902(k)(2) of Title XIX of the federal*
7 *Social Security Act (42 U.S.C. Sec. 1396 et seq.) as specified in*
8 *subdivision (b).*
9 *(b) Eligible individuals are those who are not any of the*
10 *following:*
11 *(1) 65 years of age or older.*
12 *(2) Pregnant.*
13 *(3) Entitled to, or are enrolled for, benefits under Medicare*
14 *Part A.*
15 *(4) Enrolled under Medicare Part B.*
16 *(5) Described in any of the other mandatory eligibility*
17 *categories specified in subclauses (I) to (VII), inclusive, of Section*
18 *1902(a)(10)(A)(i) of the federal Social Security Act, including*
19 *certain parents, children, or persons eligible based on their receipt*
20 *of benefits under the Supplemental Security Income (SSI) program.*
21 *(c) To the extent permitted by federal law, the department may*
22 *phase in coverage for persons described in subdivision (a) upon*
23 *the effective date of the act that adds this subdivision.*
24 *(d) Nothing in this section shall be construed to limit eligibility*
25 *for Medi-Cal benefits as authorized by any other provision of law.*

1 ~~SECTION 1. Section 14005.60 is added to the Welfare and~~
2 ~~Institutions Code, to read:~~

3 ~~14005.60. (a) Effective January 1, 2014, to the extent required~~
4 ~~by federal law, a person who meets all other applicable eligibility~~
5 ~~requirements shall be eligible for benefits under this chapter if his~~
6 ~~or her income does not exceed 133 percent of the federal poverty~~
7 ~~level.~~

8 ~~(b) Subdivision (a) shall not be construed to limit the eligibility~~
9 ~~for Medi-Cal benefits as authorized by any other provision of law.~~

10 SEC. 2. If the Commission on State Mandates determines that
11 this act contains costs mandated by the state, reimbursement to
12 local agencies and school districts for those costs shall be made
13 pursuant to Part 7 (commencing with Section 17500) of Division
14 4 of Title 2 of the Government Code.